

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>IN RE: NATIONAL COLLEGIATE</b>	<b>)</b>	<b>MDL No. 2492</b>
<b>ATHLETIC ASSOCIATION STUDENT-</b>	<b>)</b>	
<b>ATHLETE CONCUSSION INJURY</b>	<b>)</b>	<b>Master Docket No. 1:16-cv-08727</b>
<b>LITIGATION – SINGLE SPORT /</b>	<b>)</b>	
<b>SINGLE SCHOOL (FOOTBALL)</b>	<b>)</b>	<b>Judge John Z. Lee</b>
	<b>)</b>	
	<b>)</b>	<b>Magistrate Judge David M. Weisman</b>
	<b>)</b>	
	<b>)</b>	<b>This Document Relates to All Cases</b>

**NCAA'S MOTION FOR AN EXTENSION OF TIME**

Defendant National Collegiate Athletic Association (the “NCAA”) through its counsel, respectfully requests an extension of time until Monday, November 14, 2016, to file a proposed case management schedule.<sup>1</sup> In support of this motion, the NCAA states as follows:

1. On September 8, 2016, the Court issued CMO 4. See CMO 4 (Dkt. #1). In CMO 4, the Court ordered counsel for the parties to hold a case management conference at which they are to confer and seek agreement regarding (i) the incorporation of discovery from the Arrington case, (ii) the aspects of Single Sport / Single School cases that may be amenable to consolidated treatment, (iii) the schedule for fact and expert discovery, and (iv) any other applicable topics specified by Fed. R. Civ. P. 26(f). See id. ¶ 10(e). Following that conference, the parties were to then jointly file a proposed case management schedule by October 5, 2016. See id. ¶ 10(f).

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<sup>1</sup> Unless otherwise defined, capitalized terms have the meaning ascribed to them in Case Management Order No. 4 (“CMO 4”). See CMO 4 (Dkt. #1).

2. On October 5, 2016, the NCAA filed an Agreed Motion for Leave to Designate Three (3) Lead Counsel for Defendants and for an Extension of Time. See NCAA Agreed Motion (Dkt. #23). In that motion, the NCAA requested an extension of time until November 9, 2016 for the parties to file the proposed case management schedule required by CMO 4. See id. ¶ 10.

3. On October 7, 2016, the Court granted the NCAA's request for an extension of time. See Minute Entry (Dkt. #28).

4. As called for by CMO 4, the parties have already conferred on multiple occasions in an effort to reach agreement on a proposed case management schedule. Those efforts, in turn, have required a fair amount of coordination, inasmuch as forty-six (46) Single Sport / Single School class actions have been consolidated as of the date of this submission and those forty-six (46) cases include as Defendants twelve (12) different member schools and fourteen (14) different conferences.

5. Through the foregoing efforts, the parties have reached substantial agreement on many of the topics identified in Paragraph 10(e) of CMO 4 and have exchanged drafts of a proposed case management schedule. All of the parties, however, would benefit from a short extension of time to complete the meet and confer process and finalize the proposed case management schedule.

6. Given the above, the NCAA requests a short extension until Monday, November 14, 2016 to file a proposed case management schedule with the Court.

7. Counsel for the NCAA have conferred with both Plaintiffs' counsel and counsel for Defendants. Based upon those communications, we understand that no party objects to the short extension of time, however, Plaintiffs' counsel did not want to join the instant motion.<sup>2</sup>

WHEREFORE, the NCAA respectfully requests an extension of time until Monday, November 14, 2016, for the parties to file a proposed case management schedule.

Dated: November 9, 2016

Respectfully submitted,

/s/ Mark S. Mester

Lead Counsel for Defendant  
National Collegiate Athletic Association

Mark S. Mester  
mark.mester@lw.com

Johanna M. Spellman  
johanna.spellman@lw.com  
LATHAM & WATKINS LLP  
330 North Wabash Avenue, Suite 2800  
Chicago, Illinois, 60611  
Telephone: (312) 876-7700  
Facsimile: (312) 993-9767

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<sup>2</sup> The parties met and conferred on Thursday, October 27, 2016, at which time Plaintiffs' counsel agreed to circulate a draft schedule. Nothing, however, was circulated, so on Wednesday, November 2, 2016, the NCAA's counsel contacted Plaintiffs' counsel and learned a draft had been sent the prior week, albeit to the wrong email addresses. The draft was then resent, and a conference call was held the very next day by Defendants to discuss the draft. Lead Counsel for Defendants then received comments from the Defendants over the weekend, and a second meet and confer conference was held on Monday, November 7, 2016, with Defendants sending Plaintiffs' counsel a revised draft two days later. Given the delay caused by Plaintiffs' counsel, we had hoped to file this motion as a joint motion, but Plaintiffs' counsel unfortunately insisted on blaming the delay entirely on Defendants.

**CERTIFICATE OF SERVICE**

I, Mark S. Mester, certify that on November 9, 2016, a true and correct copy of the forgoing NCAA'S MOTION FOR AN EXTENSION OF TIME was filed through the CM/ECF system, which caused notice to be sent to all counsel of record.

*/s/ Mark S. Mester*

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Mark S. Mester Mark S. Mester

mark.mester@lw.com

LATHAM & WATKINS LLP

330 North Wabash Avenue, Suite 2800

Chicago, Illinois, 60611

Telephone: (312) 876-7700

Faxsimile: (312) 993-9767